

REMARKS

The Applicant thanks Examiner Rosenbaum for extending the courtesy of a telephonic interview on November 7, 2006, to the Applicant. Dr. Michael Biddle, Mr. Brian Riise and applicant's representative, Jennifer Zanocco, attended the interview. The use of an air-leg separator and its advantages in the claimed methods and systems was discussed. Examiner Rosenbaum suggested submitting amended claims requiring the air-leg separator in response to outstanding action. In response to the Examiner's suggestion, Applicants have now amended claims 1, 5, 9, 12-13, 17-18, 20-23, 26 and 28-31, and added new claim 33. All claims now require an air-leg separator. Support for the amendments to claims 1, 9, 12-13, 17, 23, 28 can be found at least on page 6, lines 25-28 and page 10, lines 3-7. Support for the amendments to claims 9, 13, 17, 18, 21-22, 29-30 and for new claim 33 can be found at least on page 11. Claim 20 is canceled.


The amended claims overcome the outstanding rejections under 35 U.S.C. § 103(a) over Bahri, alone or in combination with Houser. As discussed during the interview, air-leg separators have been used to separate agricultural items, such as shells and meat from nuts (see, e.g., U.S. Patent No, 5,043,005). However, air-leg separators, to Applicant's knowledge, have not been used in waste separation, particularly where the waste includes a complex mixture of materials, such as shredded plastics, rubber, wood, glass, thick/filled plastics and/or metals. As Applicant pointed out during the interview, an air-leg separator provides the ability to separate waste mixtures containing two or more of these waste products at an efficiency that is not achieved with other types of air-based separators or classifiers (in a single-pass in some cases and at a much lower cost). In contrast, many waste processors use other types of machinery for separating waste mixtures, such as optical and sensor separation equipment, which can be less economical and less effective than Applicant's claimed method. As noted in Applicant's specification, a need for separating plastic and metals from durable goods exists in order to reduce the environmental and economic burdens of disposing of these complex mixed shredder residue in landfills or incinerators and to facilitate the recovery of valuable materials (page 1, line 16-page 2, line 9). The use of an air-leg separator satisfies that need by providing

economical and effective separation of a complex and fairly new waste mixture containing shredded plastics, metals and other components such as rubber, wood, glass, thick/filled plastics and other non-target plastic materials. Accordingly, the claims would not have been obvious in view of the cited references. Applicant, therefore, requests allowance of the pending claims.

The one-month extension of time fee in the amount of \$60 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: November 3, 2006



Jennifer A. Zanoeco
Reg. No. 54,563

Customer No. 26181
Fish & Richardson P.C.
Telephone: (650) 839-5070
Facsimile: (650) 839-5071